

**HIGH COURT OF CHHATTISGARH, BILASPUR**

Order Sheet,

CRA No. 143 of 2023

•Jaspal Singh @ Jas Dhilllo S/o Saheb Singh Dhilllo, Aged About 25 Years R/o - Village - Chawk, Police Station - Ajnala, District - Amritsar (Punjab), Present R/o - Village - Koudiya, Police Station - Nawagarh, District - Bemetara Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh Through The District Magistrate, Bemetara, District - Bemetara Chhattisgarh

---- Respondent

10.05.2023	<p>Shri Shivendu Pandya, counsel for the appellant. Shri Sanjay Pathak,, P.L. for the State.</p> <p>Heard on I.A.No.01/2023, which is an application for suspension of sentence and grant of bail to the appellant.</p> <p>By judgment of conviction and order of sentence dated 03.01.2023 passed in Sessions Case No. 02/2022 by the Additional Sessions Judge (F.T.C.) under POCSO Act, Bemetara, Dist. Bemetara (C.G.), the appellant stands convicted under Section 354 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for short, the POCSO Act) and sentenced to RI for three years with fine of Rs.1,000/- and in default to further undergo RI for two months on each count.</p> <p>Counsel for the appellant submits that only short period of sentence has been awarded to the appellant and during trial he is on bail and never misused the liberty to granted to him. He would further submit that there is no likelihood of the appeal coming up for final hearing in the near future, hence, it is prayed that the application be allowed and the appellant may be released on bail.</p> <p>Learned counsel for the State opposes the bail application and submitted that the Court below, upon due and proper appreciation of evidence led before it, has rightly convicted and sentenced the appellant, which does not call for any interference.</p>
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Considering the fact that only short period of sentence has been awarded to the appellant and during trial he is on bail and he never misused the liberty granted to him and also considering the fact that there is no likelihood of appeal coming up for final hearing in the near future, I am inclined to suspend the sentence of the appellant and release him on bail.

Accordingly, application for suspension of sentence and grant of bail is allowed and it is directed that execution of further substantive jail sentence of the appellant shall remain suspended and he shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of trial Court for his appearance before the concerned trial Court on 03.07.2023. He shall continue to appear there on all such subsequent dates as are given to him by the said Court till the disposal of this appeal.

C.c. as per rules.

Sd/-

(Radhakishan Agrawal)
Judge

